

REMARKS

In the Restriction Requirement, the Examiner requested Applicants to elect one of the following inventions:

Group I (Claims 1, 2, 12, 13, 17, and 18) drawn to an isolated methyltransferase protein;

Group II (Claims 3-7, 9, and 10) drawn to an isolated polynucleotide which encodes a methyltransferase protein, a host cell comprising said polynucleotide and a method of expressing said polynucleotide;

Group III (Claims 11 and 20) drawn to an antibody against a methyltransferase protein;

Group IV (Claims 14-16) drawn to a method of detecting a target polynucleotide encoding a methyltransferase protein;

Group V (Claim 19) drawn to a method for treating a disease or condition associated with decreased expression of a functional SAM-MT;

Group VI (Claim 20) drawn to a method for screening a compound for effectiveness as an agonist of a methyltransferase protein; and

Group VII (Claim 8) drawn to a transgenic organism.

In a telephone conversation between Applicant's representative and the Examiner on February 13, 2003, several errors in Groups I, II, and III as listed above were discussed. The Examiner agreed that Groups I, II, and III should be as follows.

Group I (Claims 1, 2, 17, and 18) drawn to an isolated methyltransferase protein;

Group II (Claims 3-7, 9, 10, 12, and 13) drawn to an isolated polynucleotide which encodes a methyltransferase protein, a host cell comprising said polynucleotide and a method of expressing said polynucleotide; and

Group III (Claim 11) drawn to an antibody against a methyltransferase protein.

Applicants hereby elect, with traverse, to prosecute Group IV, which includes and is drawn to Claims 14-16.

Applicants submit that the invention encompassed by the claims of Group II, drawn to polynucleotides, could be examined at the same time as the invention encompassed by the claims of Group IV without undue burden on the Examiner. For example, a search of the prior art to determine the novelty of the methods of Group IV would provide information regarding the novelty of the polynucleotides of Group II.

Applicants further traverse on the grounds that the Examiner could also examine the claims of Group II without undue burden, in view of the fact that they are related to, although of different scope from, claims already allowed in ancestor application U. S. Patent No. 5,876,996. For the Examiner's convenience, those claims are as follows:

**U. S. Patent No. 5,876,996:**

1. An isolated and purified polynucleotide sequence encoding the human S-adenosyl-L-methionine methyltransferase of comprising the amino acid sequence of SEQ ID NO:1 or enzymatically active fragments thereof.
2. A composition comprising the polynucleotide sequence of claim 1.
3. A polynucleotide sequence which hybridizes under stringent wash conditions of 0.1.times. saline sodium citrate and 0.5% sodium dodecylsulfate to the polynucleotide sequence of claim 1.
4. A polynucleotide sequence which is complementary to the polynucleotide sequence of claim 1.
5. An isolated and purified polynucleotide sequence comprising SEQ ID NO:2.
6. A polynucleotide sequence which is complementary to the polynucleotide sequence of claim 5.
7. An expression vector containing the polynucleotide sequence of claim 1.
8. A host cell containing the vector of claim 7.
9. A method for producing a polypeptide comprising the amino acid sequence of SEQ ID NO:1, the method comprising the steps of:

a) culturing the host cell of claim 8 under conditions suitable for the expression of the polypeptide; and

b) recovering the polypeptide from the host cell culture.

Applicants additionally submit that in any case, there is minimal additional burden on the Examiner to examine the claims of Group II in addition to the claims of Group IV particularly in view of the additional burden on Applicants to file, prosecute and maintain yet additional applications in this family, and respectfully request that the Examiner consider doing so.

Accordingly, because the search required to identify prior art relevant to the claims of Groups II and IV would substantially overlap, Applicants respectfully submit that examination of Claims 3-7, 9, 10, 12, 13, and 14-16 would pose no undue burden. Thus, Applicants request reconsideration and withdrawal of the Restriction Requirement and examination of Claims 3-7, 9, 10, 12, 13, and 14-16. Applicants reserve the right to prosecute the subject matter of non-elected claims, or of any subject matter disclosed but not herein claimed, in a later continuation or divisional application.

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 09-0108.

Respectfully submitted,  
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